

# Application for Permit Amendment

## Part 1 of 5 – Minimum Requirements Checklist



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

**This permit amendment application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
 For questions, please call (503) 986-0900, and ask for Transfer Section.

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Check all items included with this application. (N/A = Not Applicable)

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- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Permits to be Amended: **Number of permits to be amended: 1**  
**List the Permits here: [Permit S-3011](#)**  
 Please include a separate Part 5 for each permit. (See instructions on page 6)
- Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>). Assignment is not needed if the applicant is the permit holder of record.
- N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant **or** other permit holders of record that are not listed as applicants.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. (ORS 540.531(2) or (3)).

**(For Staff Use Only)**

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

___ Application fee not enclosed/insufficient	___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete	___ Part ___ is incomplete
___ Additional signature(s) required	
Other/Explanation _____	
Staff: _____	Date: ___/___/___

## Part 2 of 5 – Permit Amendment Map Checklist

Your permit amendment application will be returned if any of the map requirements listed below are not met.

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

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- N/A If **more than three** permits are involved, separate maps for each permit.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water use permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water use permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMIT AMENDMENT			
1	Base Fee (includes one type of change to one permit for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input type="checkbox"/> Place of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$1090 and enter »	2	\$0
	Number of permits included in Permit Amendment <u>1 (3a)</u> Subtract 1 from the number in 3a: <u>0 (3b)</u> <i>If only one permit this will be 0</i>		
3	Multiply line 3b by \$610 and enter »	3	\$0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1 <sup>st</sup> well to be added or changed <u>\$480 (4a)</u> Do you propose to add or change additional wells? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>\$2,050 (x5) (4b)</u>		
4	Add line 4a to line 4b and enter »	4	\$2,530
	Do you propose to change the place of use? <input checked="" type="checkbox"/> No: enter 0 on line 5 <input type="checkbox"/> Yes: enter the cfs for the portions of the permits to be amended (see below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 »		
5		5	\$0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$3,890
	Is this permit amendment: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7		
7	If no box is applicable, enter 0 on line 7» »	7	\$0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » <b>Permit Amendment Fee:</b>	8	\$3,890

\*Example for Line 5a calculation to transfer 45.0 acres of Primary Permit S-12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Permit S-87654 (1/80 cfs per acre) on the same land:

- For irrigation calculate cfs for each permit involved as follows:
  - Divide total authorized cfs by total acres in the permit (*for S-12345, 1.25 cfs ÷ 100 ac*); then multiply by the number of acres to be changed to get the application cfs ( $\times 45 ac = 0.56 cfs$ ).
  - If the water right permit does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For S-87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs*)
- Add cfs for the portions of permits on all the land included in the application; however **do not count cfs for supplemental permits on acreage for which you have already calculated the cfs fee for the primary permit on the same land.** The fee should be assessed only once for each “on the ground” acre included in the application. (*In this example, blank 5a would be only 0.56 cfs, since both permits serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0.*)

**Part 4 of 5 – Applicant Information and Signature**

**Applicant Information**

APPLICANT/BUSINESS NAME <b>City of Bandon; Attn: Torrey Contreras</b>			PHONE NO. <b>541-347-2437</b>	ADDITIONAL CONTACT NO. -
ADDRESS <b>555 Highway 101</b>				FAX NO. -
CITY <b>Bandon</b>	STATE <b>OR</b>	ZIP <b>97411</b>	E-MAIL <b>tcontreras@cityofbandon.org</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

**Agent Information** – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME <b>Theodore Ressler, RG, CWRE / Summit Water Resources</b>			PHONE NO. <b>503-967-7050 x204</b>	ADDITIONAL CONTACT NO. -
ADDRESS <b>4784 SE 17<sup>th</sup> Ave., Suite 111</b>				FAX NO. -
CITY <b>Portland</b>	STATE <b>OR</b>	ZIP <b>97202</b>	E-MAIL <b>tressler@summitwr.com</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

Explain in your own words what you propose to accomplish with this permit amendment; and why:  
 The City of Bandon wishes to change from surface water points of diversion to groundwater points of appropriation for a 1 cfs portion of Permit S-3011. This change is requested to enhance the reliability and redundancy of the City’s municipal supply by facilitating diversion of water during low flow conditions. As documented in Attachment 4 (Hydrogeology Report), the proposed points of appropriation are hydraulically connected to the authorized surface water source and will affect the surface water source similarly to the existing authorized points of diversion. The City intends to evaluate the extent that the proposed points of appropriation may affect existing groundwater users as part of test well drilling and aquifer testing to be completed following issuance of a final order approving the requested transfer.

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Is the applicant the permit holder of record?  Yes  No

Has the Completion (“C”) Date of the permit(s) in this application expired?  Yes  No

If YES, this application will not be accepted by the Department.

If NO, what are the completion dates of the permit(s)? 10/30/2050

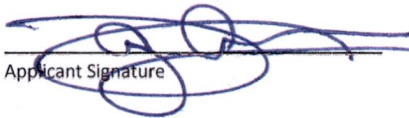
- If the permit completion date expires while the Permit Amendment Application is pending, the Department will not approve the Permit Amendment Application until an Extension of Time Application is approved for the permit.
- You may consider using the Reimbursement Authority process to expedite the processing of this Permit Amendment Application if the completion date of the permit expires within 6 months of the date of filing this application.

By my signature below, I confirm that I understand:

- Prior to Department approval of the permit amendment, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the permit is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Bandon Western World

I (we) affirm that the information contained in this application is true and accurate.



  
 Applicant Signature

Torrey Contreras / City Manager  
 Print Name (and Title if applicable)

\_\_\_\_\_  
 Applicant Signature

\_\_\_\_\_  
 Print Name (and Title if applicable)

3/27/2024  
 Date

\_\_\_\_\_  
 Date

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**Check one of the following:**

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The permit holder(s) of record will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to the permit holder(s) of record.

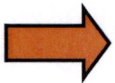
**Check the appropriate box, if applicable:**

- Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

- Check here if water for any of the permits supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME <b>Coos County Planning Department</b>	ADDRESS <b>60 E. Second St.</b>	
CITY <b>Coquille</b>	STATE <b>OR</b>	ZIP <b>97423</b>



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME <b>City of Bandon</b>	ADDRESS <b>555 Highway 101</b>	
CITY <b>Bandon</b>	STATE <b>OR</b>	ZIP <b>97411</b>

ENTITY NAME <b>Coos County</b>	ADDRESS <b>60 E. Second St.</b>	
CITY <b>Coquille</b>	STATE <b>OR</b>	ZIP <b>97423</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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**Part 5 of 5 – Water Use Permit Information**

Please use a separate Part 5 for each permit being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

**PERMIT # S-3011**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**  
(Note: If the POD/POA name is not specified in the permit, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NA	28	S	14	W	29	SW	SE	1100	1,544.54 feet south and 218.91 feet east from the center of Section 29*
POD 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NA	28	S	14	W	29	NW	SE	1100	1,553 feet north and 2,390 feet west from the SE corner of Section 29**
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	28	S	14	W	29	SW	NE	900	2,870 feet north and 1,555 feet west from the SE corner of Section 29
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	28	S	14	W	29	NW	SE	900	2,390 feet north and 1,365 feet west from the SE corner of Section 29
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	28	S	14	W	29	NE	SE	900	2,390 feet north and 965 feet west from the SE corner of Section 29
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	28	S	14	W	29	NE	SE	900	2,405 feet north and 525 feet west from the SE corner of Section 29
Well 5	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	28	S	14	W	29	SE	NE	900	2,785 feet north and 1,125 feet west from the SE corner of Section 29
Well 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	28	S	14	W	29	NE	SE	900	2,410 feet north and 125 feet west from the SE corner of Section 29

\*Location of POD 1 changed by order of the State Engineer dated April 5, 1961 (see Attachment 2)

\*\*POD 2 added by permit amendment T-8195 (see Attachment 2)

**Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):**

- |   |   |
|---|---|
| <input type="checkbox"/> Place of Use (POU)                   | <input type="checkbox"/> Point of Appropriation/Well (POA)                        |
| <input type="checkbox"/> Point of Diversion (POD)             | <input type="checkbox"/> Additional Point of Appropriation (APOA)                 |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input checked="" type="checkbox"/> Surface water POD to Ground Water POA (SW/GW) |

**Will all of the proposed changes affect the entire water use permit?**

- Yes Complete only the proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the permit to be changed.

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For a change in place of use:

Does the permit holder of record own or control the land TO which the place of use is being moved?

Yes  No **NA**

If NO, the landowner of the land TO which the place of use is being **moved must be assigned to the permit as a permit holder of record** by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

Is the proposed place of use contiguous to the authorized place of use?  Yes  No **NA**

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

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Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer

**Table 2. Description of Changes to Water Use Permit # S-3011**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date			Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date	
									SW/GW	28	S	14	W	19	ALL	-	-	NA	Well 1, Well 2, Well 3, Well 4, Well 5, Well 6	6/19/1916
									SW/GW	28	S	14	W	20	ALL	-	-	NA		
									SW/GW	28	S	14	W	29	ALL	-	-	NA		
									SW/GW	28	S	14	W	30	ALL	-	-	NA		
									SW/GW	28	S	14	W	31	ALL	-	-	NA		
									SW/GW	28	S	14	W	32	W 1/2	-	-	NA		
									SW/GW	28	S	15	W	24	ALL	-	-	NA		
									SW/GW	28	S	15	W	25	ALL	-	-	NA		
									SW/GW	28	S	15	W	26	ALL	-	-	NA		
TOTAL ACRES										TOTAL ACRES							NA			

Additional remarks: The City of Bandon wishes to change from surface water points of diversion to groundwater points of appropriation for a 1 cfs portion of Permit S-3011. This change is requested to enhance the reliability and redundancy of the City's municipal supply by facilitating diversion of water during low flow conditions. No other changes are being requested.

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Are there other water rights certificates, water use permits or ground water registrations associated with the "from" or "to" lands?  Yes  No However, Permit S-3011 is used as a municipal water right and does not layer with other water rights.

If YES, list the other certificate, permit, or ground water registration numbers: Certificate 9754, Certificate 9755, Transfer T-8195, Transfer T-12632 (additional municipal use water rights held by the City of Bandon)



If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

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**For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:**

- Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: [http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx))

**AND/OR**

- Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Well 1	NO	NA	~100-125 feet	12-inches	+3 - Total Depth	0-20 feet	~50- Total Depth	~20 feet (estimated)	Pleistocene Marine Terrace Deposits	Cumulative rate of 1 cfs from all wells
Well 2										
Well 3										
Well 4										
Well 5										
Well 6										

## Attachments

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Attachment 1	Maps
Attachment 2	Water Right
Attachment 3	Land Use Information Form
Attachment 4	Supporting Hydrogeology Report
Attachment 5	Fee

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**Attachment 1**  
**Maps**

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**Ressler, Ted**

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**From:** STARNES Patrick K \* WRD <Patrick.K.STARNES@water.oregon.gov>  
**Sent:** Friday, April 12, 2024 8:57 AM  
**To:** Dougherty, Ryan  
**Cc:** Ressler, Ted  
**Subject:** RE: SW-GW Transfer Question

Good Morning Ryan,

My apologies for not responding earlier to your request.

The Department grants a map scale waiver for the permit amendment application maps.

Please include a printed copy of this e-mail when you submit the permit amendment application.

Sincerely,

Kelly

\*\*\*\*\*

Kelly Starnes, Transfer Program Analyst  
(He/Him/His)  
Oregon Water Resources Department  
725 Summer St NE Suite A  
Salem OR 97301-1271  
Cell phone: 503-979-3511 Fax: 503-986-0903  
E-mail: [patrick.k.starnes@water.oregon.gov](mailto:patrick.k.starnes@water.oregon.gov)

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

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**From:** Dougherty, Ryan <[rdougherty@summitwr.com](mailto:rdougherty@summitwr.com)>  
**Sent:** Thursday, February 1, 2024 10:27 AM  
**To:** STARNES Patrick K \* WRD <Patrick.K.STARNES@water.oregon.gov>  
**Subject:** RE: SW-GW Transfer Question

You don't often get email from [rdougherty@summitwr.com](mailto:rdougherty@summitwr.com). [Learn why this is important](#)

Hi Kelly,

Thanks for the guidance and information.

Please find attached the maps for the permit amendment application. We are requesting a map scale waiver for the POU map only, which utilizes a 1-inch=1,800 feet scale.

Thanks again and please let me know if you need anything else  
-Ryan

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**From:** STARNES Patrick K \* WRD <[Patrick.K.STARNES@water.oregon.gov](mailto:Patrick.K.STARNES@water.oregon.gov)>  
**Sent:** Thursday, January 25, 2024 9:50 AM  
**To:** Dougherty, Ryan <[rdougherty@summitwr.com](mailto:rdougherty@summitwr.com)>  
**Subject:** RE: SW-GW Transfer Question

Good Morning Ryan –

You will need to request a map scale waiver from the Department for a non-standard scale map. I review the map scale waiver requests so please e-mail me your request and attach a pdf(s) of the map(s) in question. I will review the maps and respond with the Department’s decision.

Kelly

\*\*\*\*\*

Kelly Starnes, Transfer Program Analyst  
(He/Him/His)  
Oregon Water Resources Department  
725 Summer St NE Suite A  
Salem OR 97301-1271  
Cell phone: 503-979-3511 Fax: 503-986-0903  
E-mail: [patrick.k.starnes@water.oregon.gov](mailto:patrick.k.starnes@water.oregon.gov)

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

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**From:** Dougherty, Ryan <[rdougherty@summitwr.com](mailto:rdougherty@summitwr.com)>  
**Sent:** Thursday, January 25, 2024 9:39 AM  
**To:** STARNES Patrick K \* WRD <[Patrick.K.STARNES@water.oregon.gov](mailto:Patrick.K.STARNES@water.oregon.gov)>  
**Cc:** Ressler, Ted <[tressler@summitwr.com](mailto:tressler@summitwr.com)>  
**Subject:** RE: SW-GW Transfer Question

You don't often get email from [rdougherty@summitwr.com](mailto:rdougherty@summitwr.com). [Learn why this is important](#)

Hey Kelly,

One more quick question for this permit amendment – we are developing 2 maps (1 showing the POU, 1 for the PODs/proposed POAs). Would it be ok to use a non-standard scale for the POU map (1-inch=1,800 feet)?

Thanks,  
-Ryan

---

**From:** Dougherty, Ryan  
**Sent:** Thursday, January 11, 2024 10:07 AM  
**To:** STARNES Patrick K \* WRD <[Patrick.K.STARNES@water.oregon.gov](mailto:Patrick.K.STARNES@water.oregon.gov)>  
**Cc:** Ressler, Ted <[tressler@summitwr.com](mailto:tressler@summitwr.com)>  
**Subject:** RE: SW-GW Transfer Question

Hey Kelly,

Received  
APR 17 2024  
OWRD

Sounds good, lets shoot for 1-1:30 this afternoon.

Thanks and talk to you soon  
-Ryan

---

**From:** STARNES Patrick K \* WRD <[Patrick.K.STARNES@water.oregon.gov](mailto:Patrick.K.STARNES@water.oregon.gov)>  
**Sent:** Thursday, January 11, 2024 9:41 AM  
**To:** Dougherty, Ryan <[rdougherty@summitwr.com](mailto:rdougherty@summitwr.com)>  
**Subject:** RE: SW-GW Transfer Question

Good Morning Ryan,

I have available 1:00 to 3:00 pm today (Jan. 11) and 1:00 to 3:00 pm Tuesday Jan. 16

Kelly

\*\*\*\*\*

Kelly Starnes, Transfer Program Analyst  
(He/Him/His)  
Oregon Water Resources Department  
725 Summer St NE Suite A  
Salem OR 97301-1271  
Cell phone: 503-979-3511 Fax: 503-986-0903  
E-mail: [patrick.k.starnes@water.oregon.gov](mailto:patrick.k.starnes@water.oregon.gov)

Please Note: Under Oregon Law, messages to and from  
this e-mail address may be available to the public.

\*\*\*\*\*

---

**From:** Dougherty, Ryan <[rdougherty@summitwr.com](mailto:rdougherty@summitwr.com)>  
**Sent:** Wednesday, January 10, 2024 1:18 PM  
**To:** STARNES Patrick K \* WRD <[Patrick.K.STARNES@water.oregon.gov](mailto:Patrick.K.STARNES@water.oregon.gov)>  
**Cc:** Ressler, Ted <[tressler@summitwr.com](mailto:tressler@summitwr.com)>  
**Subject:** SW-GW Transfer Question

You don't often get email from [rdougherty@summitwr.com](mailto:rdougherty@summitwr.com). [Learn why this is important](#)

Hi Kelly,

Hope you've been well since we last spoke. I wanted to reach out to see if you had a few minutes to discuss a surface water to groundwater transfer that Ted and I are working on as it related to potentially unwinding certain aspects of the transfer down the road if things end up not working out as we expect them to.

Please let me know if there are a few days/times that you have availability for a quick (<30 min) Teams call.

Thanks,  
-Ryan

**Ryan Dougherty, PE, RG**  
Hydrogeologist | Water Resources Engineer

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**Summit Water Resources, LLC**

**a Geo-Logic Company**

4784 SE 17<sup>th</sup> Avenue, Suite 111, Portland OR 97202

Mobile: 775.229.5667

[rdougherty@summitwr.com](mailto:rdougherty@summitwr.com)

[www.summitwr.com](http://www.summitwr.com) | [www.geo-logic.com](http://www.geo-logic.com)

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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**Attachment 2**  
**Water Right**

---



AMENDED by special order

\* Permit No. 3011

v. 54 pg. 199

APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, City of Bandon, Coos County, Oregon
Bandon, Coos
of Bandon, County of Coos
State of Oregon, do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, subject to existing rights:

If the applicant is a corporation, give date and place of incorporation.
Incorporated Feb. 18th, 1891, at Bandon, Oregon.

1. The source of the proposed appropriation is Giger Creek and the water stored in the Giger Creek Reservoir to be constructed under Application No. 5017, Permit No. R 368, tributary of Coquille River

2. The amount of water which the applicant intends to apply to beneficial use is Five cubic feet per second.

3. The use to which the water is to be applied is Domestic supplies (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located S 27° 14' E 3431.4 feet from the cor. to Secs. 32 - 33 - 4 & 5 Twp. 28 & 29 S R 14 W.W.M.

being within the NE 1/4 NE 1/4 SW 1/4 of Sec. 4, Tp. 29 S, R. 14 W, W. M., in the county of Coos

5. The pipe line to be 2.4 miles in length, terminating at the cor. bet. of Secs. 30 & 31, Tp. 28 S, R. 14 W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the ditch, canal or other works is Giger Creek Intake Pipe Line

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 30 feet, length on top 140 feet, length at bottom 15 feet; material to be used and character of construction Earth fill with concrete core wall. Concrete wasteway around East end of dam.

(b) Description of headgate 16 inch Gate Valve.

\* A different form of application is provided where storage works are contemplated. These forms can be secured, without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

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V54 P199 T-8195

UNIMPROVED CANAL SYSTEM

8. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: Width on top (at water line).....feet; width on bottom.....feet; depth of water.....feet; grade.....feet fall per one thousand feet.

(b) At.....miles from headgate. Width on top (at water line).....feet; width on bottom.....feet; depth of water.....feet; grade.....feet fall per one thousand feet.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR:

IRRIGATION—

9. The land to be irrigated has a total area of.....acres, located in each smallest legal subdivision, as follows: (Give area of land in each smallest legal subdivision which you intend to irrigate)

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(If more space is required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed.....theoretical horsepower.

(b) Total fall to be utilized.....feet. (Head)

(c) The nature of the works by means of which the power is to be developed.....

(d) Such works to be located in.....of Sec. (Legal subdivision) Tp....., R....., W. M. (No. N. or S.) (No. E. or W.)

(e) Is water to be returned to any stream?..... (Yes or No)

(f) If so, name stream and locate point of return....., Sec....., Tp....., R....., W. M. (No. N. or S.) (No. E. or W.)

(g) The use to which power is to be applied is.....

(h) The nature of the mines to be served.....

MUNICIPAL SUPPLY—

11. To supply the city of Bandon  
Coos County, having a present population of 2500, and an  
(Name of) estimated population of 10,000 in ~~1930~~ 1930

(Answer questions 12, 13, 14, and 15 in all cases)

- 12. Estimated cost of proposed works, \$ 40,000
- 13. Construction work will begin on or before July 1, 1917
- 14. Construction work will be completed on or before July 1, 1918
- 15. The water will be completely applied to the proposed use on or before July 1, 1920

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Water Board, accompany this application.

(Corporate Seal) City of Bandon, Coos Co., Ore.  
(Name of applicant)  
by Geo. P. Topping, Mayor  
E B Kansrud,

Signed in the presence of us as witnesses: Recorder of the City of Bandon.

- (1) J S Sawyer, Bandon, Oregon  
(Name) (Address of witness)
- (2) T Manciet Bandon, Oregon  
(Name) (Address of witness)

Remarks: \$40,000 Bonds have been voted by the people for this work, but  
the issue has not been sold.

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STATE OF OREGON, }  
County of Marion } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion, as follows:.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before....., 191...

WITNESS my hand this..... day of....., 191...

State Engineer.



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APR 17 2024

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STATE OF OREGON

COUNTY OF COOS

ORDER APPROVING AN ADDITIONAL POINT OF DIVERSION

Pursuant to ORS 537.211, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, PERMIT AMENDMENT 8195 submitted by

CITY OF BANDON  
P.O. 67  
BANDON, OREGON 97411.

The first permit to be modified is Permit 3011 with a date of priority of JUNE 19, 1916. The permit allows the use of GEIGER CREEK AND GEIGER CREEK RESERVOIR CONSTRUCTED UNDER APPLICATION 5017, PERMIT R-368, a tributary of FERRY CREEK, for DOMESTIC SUPPLY. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 5.0 cubic feet per second, if available at the authorized point of diversion: NE¼ NE¼ SW¼, SECTION 4, T 29 S, R 14 W, W.M.; S 27°14'E 3431.4 FEET FROM THE CORNER COMMON TO SECTIONS 32, 33, 4, AND 5, T 28 AND 29 S, R 14 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

T-8195.PKS

Page 1 of 4 Special Order Volume 54, Page 199.

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The second permit to be modified is Permit 27232 with a date of priority of MARCH 7, 1961. The permit allows the use of GEIGER CREEK, a tributary of FERRY CREEK, for MUNICIPAL USE. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 3.0 cubic feet per second, if available at the authorized point of diversion: SW¼ SE¼, SECTION 28, T 28 S, R 14 W, W.M.; 1544.54 FEET SOUTH AND 218.9 FEET EAST FROM THE CENTER OF SECTION 29, T 28 S, R 14 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The third permit to be modified is Permit 27233 with a date of priority of MARCH 7, 1961. The permit allows the use of FERRY CREEK, a tributary of the COQUILLE RIVER, for MUNICIPAL USE. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 3.0 cubic feet per second, if available at the authorized point of diversion: SW¼ SE¼, SECTION 29, T 28 S, R 14 W, W.M.; 1374.4 FEET SOUTH AND 1263.01 FEET EAST FROM THE CENTER OF SECTION 29, or its equivalent in case of rotation, measured at the point of diversion from the source.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

PERMITS 3011, 27232, 27233

ALL W¼  
SECTIONS 19, 20, 29, 30 AND 31 SECTION 32

TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

ALL  
SECTIONS 24, 25, AND 36

TOWNSHIP 28 SOUTH, RANGE 15 WEST, W.M.

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The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

The applicant proposes an additional point of diversion, below the confluence of Ferry Creek and Geiger Creek, located:

SW¼ SE¼, SECTION 29, T 28 S, R 14 W, W.M.; 1193.45 FEET NORTH AND 2709.05 FEET EAST FROM THE SW CORNER OF SECTION 29.

THIS CHANGE TO AN EXISTING WATER PERMITS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The quantity of water diverted at the new point of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water lawfully available at the original points of diversion.
2. The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
3. Water shall be acquired from the same surface water source as the original point of diversion.
4. All other terms and conditions of the permit remain the same.
5. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

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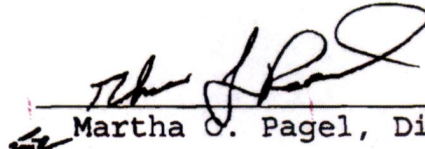
RECEIVED

MAY 13 2015

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Permits 3011, 27232, and 27233, all in the name of CITY OF BANDON, are amended as described herein.

WITNESS the signature of the Water Resources  
Director, affixed MAR 29 2000.

  
Martha O. Pagel, Director

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APR 17 2024  
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BEFORE THE STATE ENGINEER OF OREGON

Coos County

IN THE MATTER OF A CHANGE  
IN POINT OF DIVERSION UNDER  
PERMIT NO. 3011 IN THE NAME  
OF THE CITY OF BANDON

ORDER

FINDINGS

- 1 -

Permit No. 3011 issued in approval of application No. 4982 in the name of the City of Bandon granted the right to appropriate not to exceed 5.0 cubic feet per second of water from Geiger (Geiger) Creek at a point of diversion located south 27° 14' east a distance of 3431.4 feet from the northwest corner of Section 4, Township 29 South, Range 14 West, W.M., for "domestic supplies" for the City of Bandon.

- 2 -

The Oregon State Game Commission has constructed, under the provisions of permit No. 8756, a dam across Geiger Creek immediately above its confluence with Ferry Creek, said dam being located 1544.29 feet south and 218.91 feet east from the center of Section 29, Township 28 South, Range 14 West, W.M.

- 3 -

The City of Bandon and the Oregon State Game Commission have entered into an agreement whereby the city is permitted to maintain and operate a diversion pump at the said dam.

- 4 -

The City of Bandon has submitted to the State Engineer a request for authorization to appropriate water under the provisions of permit No. 3011 by diversion at the above described Oregon State Game Commission dam instead of at the original proposed point.

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CONCLUSIONS

- 1 -

The approval of the request by the City of Bandon to authorize the diversion of water under the provisions of permit No. 3011 at the proposed new point, with the stipulation that the appropriation shall be limited to the amount of water that would be available under the permit at the original point, would not result in conflict with existing rights and would not be prejudicial to the public interest.

ORDER

It is ORDERED that the City of Bandon is hereby authorized to appropriate water under the provisions of permit No. 3011 by diversion at the point located 1544.54 feet south and 218.91 feet east from the center of Section 29, Township 28 South, Range 14 West, W.M., and that the diversion at said point shall not exceed the amount available at the point located south 27° 14' east from the northwest corner of Section 4, Township 29 South, Range 14 West, W.M.

Dated at Salem, Oregon, this 5<sup>th</sup> day of April 1961.

/s/ LEWIS A. STANLEY  
State Engineer

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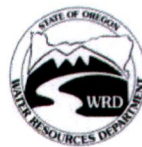
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**Attachment 3**  
**Land Use Information Form**

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# Land Use Information Form



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.wrd.state.or.us

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**This form is NOT required if:**

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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APR 17 2024

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# Land Use Information Form



**Oregon Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

Applicant(s): City of Bandon; Attn: Torrey Contreras

Mailing Address: 555 Highway 101

City: Bandon

State: OR

Zip Code: 97411

Daytime Phone: 541-347-2437

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
28S	14W	29	SWNE	900	F (Forest)	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Municipal
28S	14W	29	SENE	900	F (Forest)	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Municipal
28S	14W	29	NWSE	900	F (Forest)	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Municipal
28S	14W	29	NESE	900	F (Forest)	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Municipal
Within the service area of the City of Bandon						<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Municipal

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

City of Bandon, Coos County

## B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water   
  Water Right Transfer   
  Permit Amendment or Ground Water Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

Source of water:  Reservoir/Pond     Ground Water     Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 0     cubic feet per second     gallons per minute     acre-feet

Intended use of water:  Irrigation     Commercial     Industrial     Domestic for \_\_\_\_\_ household(s)  
 Municipal     Quasi-Municipal     Instream     Other Domestic for municipal supply

Briefly describe:

The City of Bandon is submitting a permit amendment for a 1 cfs portion of Permit S-3011 to change from existing surface water points of diversion on Ferry/Geiger Creek to proposed groundwater points of appropriation to enhance the reliability and redundancy of the City's municipal supply. No additional use of water is associated with this permit amendment beyond the existing permit authorized rate of Permit S-3011 (total of 5 cfs).

**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

Received  
 APR 17 2024

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# For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

**Received**

**APR 17 2024**

**OWRD**

Name: Crystal Orr Title: Associate Planner

Signature: Crystal Orr Digitally signed by Crystal Orr  
Date: 2024.03.18 12:28:25 -07'00' Phone: 541-396-7770 Date: 3/18/2024

Government Entity: Coos County Community Development

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

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**Attachment 4**  
**Supporting Hydrogeology Report**

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Technical Memorandum

## Supporting Data for a Change from Surface Water PODs to Groundwater POAs

To: City of Bandon  
Torrey Contreras, MPA  
Jim Youravish

From: Summit Water Resources  
Ted Ressler, RG, CWRE  
Ryan Dougherty, PE, RG

Date: February 1, 2024

Received

APR 17 2024

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### 1. Overview

Summit Water Resources, LLC (Summit) has prepared this technical memorandum for the City of Bandon (City) to provide hydrogeologic information in support of a change from a surface water point of diversion to a groundwater point of appropriation, as required by Oregon Administrative Rules (OAR) 690-380-2130. Per these rules, a surface water use subject to transfer may change from the point of diversion (POD) to groundwater points of appropriation (POA) if the following conditions are met:

- a) The criteria of OAR 690-380-5000 are met (review criteria for all transfers).
- b) The proposed POAs appropriate groundwater from an aquifer that is hydraulically connected to the authorized surface water source.
- c) The proposed POAs will affect the surface water source 'similarly' to the authorized POD. 'Similarly' is defined as groundwater usage that will result in stream depletion of at least 50 percent of the rate of appropriation within 10 days of continuous pumping.
- d) The withdrawal of groundwater at the proposed POAs is located within 500 feet of the authorized surface water source and, when the surface water source is a stream, is also located within 1,000 feet upstream or downstream of the original POD; or, if these prescribed distances are not met, the applicant shall submit evidence prepared by a licensed geologist that demonstrates that the use of the groundwater at the proposed POAs will meet the 'similarly' criteria described above.

As noted in the accompanying permit amendment application, the City is requesting a change from surface water PODs to groundwater POAs for a 1 cubic feet per second (cfs) portion of Permit S-3011. This change is requested to enhance the reliability and redundancy of the City's municipal supply by facilitating diversion of water from the authorized surface water source under low flow conditions. Six POAs are proposed, with locations being presented on Figure 1. The locations of the six proposed POAs are outside of the rule prescribed distances from the authorized surface water



source (500 x 1,000 feet), therefore, supporting information must be provided that demonstrates the use of groundwater at the proposed POAs will meet the 'similarly' criteria described above.

## 2. Analysis

This section provides an analysis of the hydrogeologic information required by OAR 690-380-2130 to support a change from a surface water point of diversion to a groundwater point of appropriation.

### 2.1 Criteria of OAR 690-380-5000

Permit S-3011 is a water use subject to transfer and has not been cancelled. The changes proposed in the accompanying permit amendment (surface water PODs to groundwater POAs) would not result in enlargement of the water right because we expect a final order approving the permit amendment to be conditioned to ensure that there will be no increase in the rate of water use authorized under the permit as a result of the transfer, and that the quantity of water diverted at the new groundwater POAs will be limited to the quantity of water available for diversion at the original PODs. In regards to the injury assessment, Summit has identified a number of existing groundwater users in the vicinity of the proposed POAs based on a review of Oregon Water Resource Department's (OWRD) well log database, water right information system (WRIS), and well mapping information from the Oregon Department of Geology and Mineral Industries (DOGAMI). The nearest existing groundwater users are exempt domestic wells located approximately 400-600 feet north and west of the proposed POAs (Figure 1). Potential interference effects of pumping at the proposed POAs on these nearby domestic wells will be evaluated as part of the test well drilling to be completed at the start of project implementation.

### 2.2 Hydraulic Connection to Authorized Surface Water Source

To assess whether the proposed POAs will be in hydraulic connection to the authorized surface water source (Ferry/Geiger Creek), Summit reviewed available geologic reports<sup>1</sup>, geologic spatial data<sup>2</sup>, and well logs<sup>3</sup> to develop a conceptual model of the local hydrogeologic system. Following review of available geologic information, Summit developed a map of surficial geology (Figure 2) and two cross sections (Figures 3 and 4) to further characterize the occurrence, extent, and thickness of hydrogeologic units in the vicinity of the City. The proposed POAs would be completed in the Marine Terrace Deposits, which are described further below. Overall, it appears highly likely that the marine terrace deposits are in hydraulic connection with the authorized surface water source.

- Marine Terrace Deposits (Qmtw, Qmtp, Qmtd): This hydrogeologic unit primarily consists of unconsolidated sand and gravel interbedded with clay and silt that were deposited in ancestral nearshore marine environments. This unit is regionally extensive and is present throughout the local area, with thicknesses commonly between 50-150 feet. Groundwater within this unit exists under unconfined conditions and is likely hydraulically connected to nearby surface waters in many locations. The majority of local wells are completed in the marine terrace deposits due to the unit's relative thickness and abundance of permeable material, which in turn produces relatively moderate well yields (~15-75 gpm).

The marine terrace deposits are a collection of various subunits including the Whiskey Run (Qmtw), Pioneer Terrace (Qmtp), and Seven Devils (Qmtd) subunits. These three subunits are the most extensive subunits in the vicinity of the City (see Figure 2). Of these three

<sup>1</sup> See BCWCD, 2004; Orr, 1999

<sup>2</sup> See DOGAMI, 2014 and DOGAMI, 2021

<sup>3</sup> OWRD, 2019

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subunits, the Pioneer Terrace subunit is anticipated to have the largest saturated thickness, highest potential well yield, and greatest sustainability. Within the City’s watershed, the Pioneer Terrace subunit is estimated to have thickness of 35-125 feet, with thicknesses increasing to the east (upland) and away from Ferry and Geiger Creek (see Figures 3 and 4).

A hydrogeologic study prepared for the Bandon Cranberry Water Control District (BCWCD, 2004) in cooperation with OWRD estimated the following hydraulic properties for the marine terrace deposits at a site approximately 0.25-miles north of the proposed POAs<sup>4</sup>.

**Table 1. Hydraulic Properties of the Marine Terrace Deposits (BCWCD, 2004)**

Parameter	Symbol	Units	Reported Value
Hydraulic Gradient	i	dimensionless	0.02
Transmissivity	T	gpm/ft	3,740
Horizontal Hydraulic Conductivity	K <sub>h</sub>	feet/day	10
Vertical Hydraulic Conductivity	K <sub>v</sub>	feet/day	0.042
Specific Yield / Storativity	s	dimensionless	0.0002

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### 2.3 Groundwater Use Affecting the Authorized Surface Water Source Similarly

To evaluate whether the proposed POAs will affect the authorized surface water source similarly, an analytical stream depletion model was used. Based on the conceptual model of the local hydrogeologic system, the Jenkins (1970) model seems most appropriate, however Hunt (1999) model was also evaluated in the event that finer grained sediments are present beneath Ferry/Geiger creek. Input parameters for the stream depletion model are provided below in Table 2.

**Table 2. Input Parameters for Stream Depletion Model**

Parameter	Symbol	Units	Value	Data Source
Groundwater pumping rate	Q <sub>w</sub>	cfs	1	Portion of Permit S-3011 involved in the permit amendment
Pumping duration	t <sub>pon</sub>	days	10	OAR 690-380-2130
Perpendicular distance to stream	a	feet	1,700	Distance of furthest proposed POA (Well 6)
Well depth	d	feet	125	Estimated depth of proposed POAs
Aquifer hydraulic conductivity	K	feet/day	10	BCWCD, 2004 for Marine Terrace Deposits
Aquifer saturated thickness	b	feet	100	Estimated from cross sections (Figures 3-4)
Aquifer specific yield	S	*	0.0002	BCWCD, 2004 for Marine Terrace Deposits
Aquitard vertical hydraulic conductivity	K <sub>va</sub>	feet/day	0.042	BCWCD, 2004 for Marine Terrace Deposits
Aquitard saturated thickness	ba	feet	1	Assumed
Aquitard thickness below stream	babs	feet	1	Assumed
Aquitard porosity	n	*	0.4	Midrange value for silt from Woessner, 2020
Stream width	ws	feet	10	Estimated from aerial imagery

<sup>4</sup> See Gardner Site in Table 5.4 of BCWCD, 2004

Stream depletion model results are included as Appendix 1 to this technical memorandum and OWRD summarized below for both the Jenkins and Hunt models:

- Jenkins (1970): Using the Jenkins model, after 10 days of continuous pumping at 1 cfs a stream depletion of 86 percent is estimated, which exceeds the minimum criteria of 50 percent to meet the definition of affecting the authorized surface water source 'similarly'.
- Hunt (1999): Using the Hunt model, after 10 days of continuous pumping at 1 cfs a stream depletion of 56 percent is estimated, which exceeds the minimum criteria of 50 percent to meet the definition of affecting the authorized surface water source 'similarly'.

### 3. Conclusion

In summary, the changes proposed in the accompanying permit amendment application (surface water PODs to groundwater POAs) meet all of the criteria of OAR 690-380-2130. Specifically:

- a) Permit S-3011 is a water right subject to transfer and has not been cancelled, and the proposed changes would not result in enlargement or injury.
- b) The conceptual model of the hydrogeologic setting suggests that the Marine Terrace Deposits are in hydraulic connection with the authorized surface water source.
- c) Stream depletion modeling was performed using a combination of measured aquifer parameters and conservative assumptions. Results of the stream depletion modeling indicate that the proposed POAs will affect the authorized surface water source 'similarly', as defined in OAR 690-380-2130.

### 4. References

BCWCD, 2004 Phase Two Groundwater Resources Study. Prepared by Golder Associates, Inc. for the Bandon Cranberry Water Control District in cooperation with the Oregon Water Resources Department. February 2004.

DOGAMI, 2014 Geologic Map of the Southern Oregon Coast Between Port Orford and Bandon, Curry and Coos Counties, Oregon. Open File Report O-14-01. Oregon Department of Geology and Mineral Industries. 2014.

DOGAMI, 2021 Geologic Map of the Southern Oregon Coast Between Bandon, Coquille, and Sunset Bay, Coos County, Oregon. Open File Report O-15-04. Oregon Department of Geology and Mineral Industries. 2021.

DEQ, 2021 Facility Profiler Lite Interactive Mapping Viewer. Oregon Department of Environmental Quality. Accessed June 21, 2021.

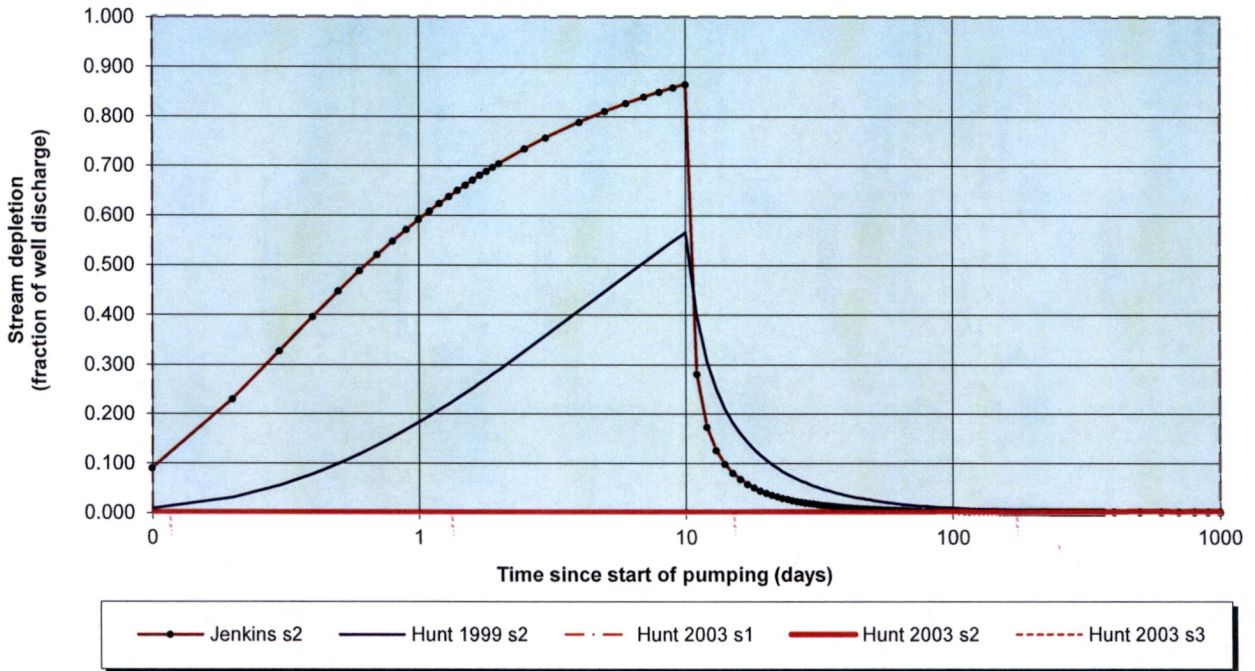
Orr, 1999 Geology of Oregon. Authored by William and Elizabeth Orr. Published by the Kendall/Hunt Publishing Company. 1999.

OWRD, 2019 Drinking Water Wells By Section 1M++ (ID: 174). Oregon Water Resources Department and Oregon Geospatial Enterprise (GEO) Office. 2019.

Woessner, 2020 Hydrogeologic Properties of Earth Materials and Principles of Groundwater Flow. The Groundwater Project, Guelph, Ontario, Canada. 2020.

# Appendix 1 Stream Depletion Results

Transient Stream Depletion (Jenkins, 1970; Hunt, 1999, 2003)



Output for Stream Depletion, Scenerio 2 (s2):						Time pump on (pumping duration) = 10 days							
Days	30	60	90	120	150	180	210	240	270	300	330	360	
J SD	1.7%	0.5%	0.3%	0.2%	0.1%	0.1%	0.1%	0.1%	0.0%	0.0%	0.0%	0.0%	
H SD 1999	5.3%	1.8%	1.0%	0.6%	0.4%	0.3%	0.3%	0.2%	0.2%	0.2%	0.1%	0.1%	
H SD 2003	0.01%	0.06%	0.14%	0.07%	0.07%	0.05%	0.09%	0.14%	0.13%	0.13%	0.13%	0.12%	
Qw, cfs	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	
H SD 99, cfs	0.053	0.018	0.010	0.006	0.004	0.003	0.003	0.002	0.002	0.002	0.001	0.001	
H SD 03, cfs	0.000	0.001	0.001	0.001	0.001	0.001	0.001	0.001	0.001	0.001	0.001	0.001	

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate of well	Qw	1.00	1.00	1.00	cfs
Time pump on (pumping duration)	tpon	10	10	10	days
Perpendicular from well to stream	a	1700	1700	1700	ft
Well depth	d	125	125	125	ft
Aquifer hydraulic conductivity	K	10	10	10	ft/day
Aquifer saturated thickness	b	100	100	100	ft
Aquifer transmissivity	T	1000	1000	1000	ft*ft/day
Aquifer storativity or specific yield	S	0.0002	0.0002	0.0002	
Aquitard vertical hydraulic conductivity	Kva	0.042	0.042	0.042	ft/day
Aquitard saturated thickness	ba	1	1	1	ft
Aquitard thickness below stream	babs	1	1	1	ft
Aquitard porosity	n	0.4	0.4	0.4	
Stream width	ws	10	10	10	ft
Streambed conductance (lambda)	sbc	0.420000	0.420000	0.420000	ft/day
Stream depletion factor	sdf	0.578000	0.578000	0.578000	days
Streambed factor	sbfb	0.714000	0.714000	0.714000	
input #1 for Hunt's Q_4 function	t'	1.730104	1.730104	1.730104	
input #2 for Hunt's Q_4 function	K'	121.380000	121.380000	121.380000	
input #3 for Hunt's Q_4 function	epsilon'	0.000500	0.000500	0.000500	
input #4 for Hunt's Q_4 function	lamda'	0.714000	0.714000	0.714000	

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**Attachment 5**  
Fee

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## Oregon Water Resources Department Fee Calculation for Permit Amendment

Today's Date: Thursday, February 1, 2024	<b>Fee Calculation</b>
Base Fee (includes one type of change to one permit for up to 1 cfs)	\$1,360.00
Fill in information below-- Check each box that applies.	
Types of Change Proposed:	
<input type="checkbox"/> Place of Use	
<input checked="" type="checkbox"/> Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD	\$0.00
Enter total number of permits included in application. <input type="text" value="1"/>	\$0.00
<input checked="" type="checkbox"/> Check this box if you propose to add or change a well location, or change from a surface water POD to a well.	\$480.00
Enter total number of groundwater wells (POAs) included in permit amendment. <input type="text" value="6"/>	\$2,050.00
<input type="checkbox"/> Check this box if you propose to change the place of use for a NON-irrigation permit.	
<input type="checkbox"/> Check this box if you propose to change the place of use for an irrigation permit.	
Total Transfer CFS(rounded up to the next whole cfs):	<input type="text"/>
Subtotal:	\$3,890.00
Check each box that applies.	
<input type="checkbox"/> The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.	
<input type="checkbox"/> The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.	
Discount	<input type="text"/>
Permit Amendment Fee:	<b>\$3,890.00</b>
<input type="button" value="Return to Edit"/> <input type="button" value="Clear"/>	

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April 11, 2024

Mr. Lisa Jaramillo  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1271

**Subject:** Application for a Permit Amendment  
Permit S-3011, City of Bandon

Ms. Jaramillo:

On behalf of the permit holder, please find enclosed an application for a permit amendment for Permit S-3011 (Application S-4982). Please also find enclosed a check in the amount of \$3,890 for payment the permit amendment fee.

If you have any questions regarding the enclosed transfer application, please call me at 503-967-7050. Please copy me on any correspondence regarding this application.

Respectfully submitted,

Theodore Ressler, RG, CWRE  
Summit Water Resources LLC.

Cc: Torrey Contreras – City of Bandon

Enclosures:

Application for a Permit Amendment for Permit S-3011  
Check #78389 in the amount of \$3,890

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